

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Conrad L. Slocumb,)
)
Plaintiff,)
)
v.) Civil Action No. 9:23-cv-2069-BHH
)
)
South Carolina Department of) **ORDER**
Corrections, Director Bryan Stirling,)
Regional Director Whilington, Warden)
Nelson, Associate Warden Carter,)
)
Defendants.)
)

This matter is before the Court for review of the Report and Recommendation (“Report”) of United States Magistrate Judge Molly H. Cherry, which was made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 for the District of South Carolina. In her Report, which was filed on September 14, 2023, the Magistrate Judge explained that the extended time for Plaintiff to bring this case into proper form had elapsed and that Plaintiff had failed to bring the case into proper form. Accordingly, the Magistrate Judge recommended that the Court dismiss this case without prejudice in accordance with Rule 41 of the Federal Rules of Civil Procedure. (ECF No. 9.) Attached to the Report was a notice advising Plaintiff of his right to file written objections to the Report within fourteen days of receiving a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. See *Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court may accept, reject, or modify, in whole or in part, the findings or

recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1). The Court may also receive further evidence or recommit the matter to the Magistrate Judge with instructions. *Id.* The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objections are made. In the absence of specific objections, however, the Court reviews the matter only for clear error. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because Plaintiff has not file objections or otherwise attempted to bring his case into proper form, it appears that he no longer wishes to pursue this action. Having reviewed the Magistrate Judge’s findings and recommendations for clear error, the Court finds none and agrees with the Magistrate Judge’s analysis. Therefore, the Court hereby adopts the Magistrate Judge’s Report (ECF No. 9) and dismisses this action without prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

October 5, 2023
Charleston, South Carolina